

REMARKS

Claims 9, 17 and 23-24 are now pending. The most recent rejection all of the claims is under Section 103 over Devine (U.S. 2002/0095399) in view of Nwabueze (U.S. 6,611,839). Applicant has respectfully disagreed with the rejection for reasons already of record.

The prior rejection cites the server CD10 of Figure 5C in the Devine reference as comporting with the applicant's "central access device" but as explained at pars [0394] - [0395], it is not the server CD 10 which provides access to data from each of the data sources, e.g., for uniform access and for uniform visualization. Rather, it appears that the Data Warehouse receives such data. The rejection cites multiple disparate paragraphs from the Devine reference which refer to different figures and different embodiments. It is not shown or implied that in the embodiment of Figure 5C there is a central access device which performs the functions recited in claim 9. It appears that the Server/CD10 operates as an intermediary to collect and forward data to a warehouse and other features required by the central access device are either absent or performed by other devices in the prior art system of Figure 5C. Withdrawal of the rejection is requested for this reason.

The prior rejection also cited par [0071] of Devine for disclosing

"a polling device configurable by users in order to acquire data **cyclically** from the various data sources and to evaluate the data in such a way that upon attainment of a criterion configurable by users a corresponding **message is automatically generated.**" [Emphasis added.]

To the contrary, the Devine reference does not describe or imply acquiring data cyclically nor automatically generating a message upon attainment of a criterion. The deficiencies in the Devine reference render the prior rejection of claim 25 (now canceled) incorrect.

In this filing, claim 9 is amended to incorporate features of a polling device which further distinguish over the combination.

a polling device configurable by users in order to cyclically monitor data based on a production criterion configurable by a user from the various data sources by evaluating the data in such a way that upon attainment of the criterion, a corresponding message is automatically generated indicating to the user that the criterion has been met and wherein, when the criterion is met, data relevant to the criterion are made available in an automated manner to the user when the user is next logged in to the system ...

Claim 9 is also distinguished because the central access device comprises “mechanisms for

“simultaneously providing a uniform, central access to multiple ones of the plurality of data sources and simultaneous uniform visualization of the data in the data received from the multiple ones of the data sources ...[Emphasis Added]”

In this regard, citation to par [0389] of the Devine reference (see page 4 of the final office action) appears deficient, as there is no disclosure for simultaneous visualization of data from multiple sources. The disclosed browser is not described as providing simultaneous visualization of data from multiple sources. In a somewhat contradictory manner, the rejection appears to acknowledge this deficiency by also citing the Nwabueze reference (col. 2, lines 59-67 and col. 3, lines 1-18). However, that reference does not relate to a central access device according to the features and functions recited in claim 9, and nothing in the combination compensates for this deficiency. That is, with the server/CD 10 sending data to a warehouse, there is no such functionality in the primary reference in order to draw upon the secondary reference to reconstruct the invention.

Based on the above-noted distinctions it is urged that the claims are fully distinguished over the prior art. Allowance of the application is requested.

Conclusion

The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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